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APPLICATION NO.	FILING DATE	FIRST NAME (INVENTOR)	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,078	03/12/2003	SHIGEMITSU MATSUDA	0907489X	7465

ARMSTRONG, WESTERMAN & HATTORI LLP
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EXAMINER

WILLIAMS, ALEXANDER O

APPL. NO. PAPER NUMBER

2806

DATE MAILED: 03/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner

Art Unit

$$A_1 = \begin{bmatrix} 1 & 0 & 0 \\ 0 & 1 & 0 \\ 0 & 0 & 1 \end{bmatrix}, \quad A_2 = \begin{bmatrix} 1 & 0 & 0 \\ 0 & 1 & 0 \\ 0 & 0 & 1 \end{bmatrix}$$

100

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

Status

Postscript: a reminder posted on

2. \neg This is a **final** state. This is a **non-final** state.

34 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is based on a *prima facie* case with the practice under *E. parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

41. Claims 1-13, 19 and 20 is are pending in the application

4a) Of the above claim(s) _____ is/are withdrawn from consideration

5. Claim(s) _____ is/are allowed

6. Clams are rejected

Chen S. *et al.* *Science* 2005; 307: 1230-1235

¶ 13. Claims 1, 13, 19, and 20 are subject to restriction and/or election requirement.

Application Papers

91. The Specification is objected to by the Examiner

10. The drawings included in this test are the property of the Examiner.

11. The proposed drawing correction filed on _____ is (a) _____ approved by _____ disapproved (b) _____ approved (c) _____ disapproved

12 The oath of declaration is objected to by the Examiner

Priority under 35 U.S.C. §§ 119 and 120

13 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (e).

☐ All of them ☒ Some of them ☐ None of them

* Further progress in the study of arguments have been achieved

2. Certified copies of the priority documents have been received in Application No.

2. 2 copies of the certified copies of the priority documents have been received in this National Stage application from the International Preliminary Report on Patentability (PCT-RAP) 2/2/98.

* See the ARJAS Web-Enhanced Citations for both for a list of the cited papers that are cited.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (re: a provisional application).

The proposal for the trademark application has been received

42. H. K. Vashishtha, *J. Chem. Phys.* **10**, 406 (1942); *ibid.* **11**, 215 (1943).

Attachment(s)

[illegible]

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

Any one or one of set of species of the species in figures 1 to 20

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. (MPEP § 309.02(a))

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the

case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence of admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander O Williams whose telephone number is (703) 308 4823. The examiner can normally be reached on M-F 6:30-7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on (703) 308 6601. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308 7722 for regular communications and (703) 308 7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 0956.

AOW
March 8, 2003


Alexander O. Williams
Examiner